

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**Chambers of  
STEVEN C. MANNION**  
United States Magistrate Judge

**Martin Luther King Jr, Federal Bldg.  
& U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102  
(973) 645-3827**

June 19, 2019

**LETTER ORDER**

**Re: Zelma v. Audina Hearing Instruments, Inc. et al.  
Civil Action No. 2:18-cv-14655-KM-SCM**

Dear Litigants:

This Court has previously informed the parties that this matter may be remanded by the District Court pursuant to 28 U.S.C. § 1447(c) for lack of subject matter jurisdiction.<sup>1</sup> This Court has an independent and continuing obligation to assess its jurisdiction and may raise the issue *sua sponte*.<sup>2</sup>

This Court ordered Defendants Hear Better For Life, John Monaco, Sarah Trauring, and Isroel Max to file jurisdictional declarations by April 26, 2019.<sup>3</sup> There has been no response. Plaintiff has informed this Court that Defendants did not file within the deadline pending the finalization of a settlement-in-principle, which has since dissolved. These settlement discussions did not obviate Defendants' obligation to comply with the Court's Order.

Unless Defendants file corrected jurisdictional declarations within 7 days of the entry of this Order, this Court may impose sanctions for failure to comply with an order pursuant to Federal Rules of Civil Procedure 16(f) and 37.

**SO ORDERED.**

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<sup>1</sup> (ECF Docket Entry ("D.E.") 15; D.E. 17).

<sup>2</sup> *Zambelli Fireworks Mfg. Co. v. Wood*, 592 F.3d 412 (3d Cir. 2010).

<sup>3</sup> (D.E. 19).



*Steve C. Mannion*

Honorable Steve Mannion, U.S.M.J.  
United States District Court,  
for the District of New Jersey  
phone: 973-645-3827

A handwritten signature, likely of Steve Mannion, written in ink.

c:

RICHARD M. ZELMA  
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